

STATE OF NEW YORK

6190--B

Cal. No. 1088

2019-2020 Regular Sessions

IN SENATE

May 21, 2019

Introduced by Sens. MARTINEZ, BRESLIN, GAUGHRAN, KENNEDY, LIU -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report -- ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the vehicle and traffic law and the administrative code of the city of New York, in relation to requiring background checks for certain for-hire vehicle driver or owner licenses

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The vehicle and traffic law is amended by adding a new
2 article 17-D to read as follows:

3 ARTICLE 17-D

4 BACKGROUND CHECK FOR FOR-HIRE VEHICLE DRIVER OR OWNER
5 LICENSES

6 Section 499-m. Background check for certain for-hire vehicle driver or
7 owner licenses.

8 § 499-m. Background check for certain for-hire vehicle driver or owner
9 licenses. Prior to the issuance of a taxicab, limousine, commuter van,
10 paratransit or for-hire vehicle driver or owner license for vehicles
11 transporting nine or more passengers, the applicant for such license
12 shall be fingerprinted by the licensing authority authorized to issue
13 such license for the purpose of securing criminal history records from
14 both the state division of criminal justice services and the federal
15 bureau of investigation. The applicant shall pay any processing fee
16 required by the state division of criminal justice services and the
17 federal bureau of investigation. Fingerprints shall be taken of the
18 individual owner if the applicant is a sole proprietorship; the general
19 partners if the applicant is a partnership; the officers, principals,

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 and stockholders owning more than ten percent of the outstanding stock
2 of the corporation if the applicant is a corporation. An applicant or
3 applicants shall be disqualified from obtaining a license if the crimi-
4 nal history records indicate convictions which would disqualify an
5 applicant from driving a motor vehicle pursuant to section five hundred
6 nine-c or any other provision of article nineteen-A of this chapter.

7 § 2. Subdivision 1 of section 19-504 of the administrative code of the
8 city of New York, as added by local law number 115 of the city of New
9 York for the year 1993, is amended and a new subdivision s is added to
10 read as follows:

11 1. Prior to the issuance of a commuter van license, the applicant
12 shall be fingerprinted for the purpose of securing criminal history
13 records from both the state division of criminal justice services and
14 the federal bureau of investigation. The applicant shall pay any proc-
15 essing fee required by the state division of criminal justice services
16 and the federal bureau of investigation. Fingerprints shall be taken of
17 the individual owner if the applicant is a sole proprietorship; the
18 general partners if the applicant is a partnership; the officers, prin-
19 cipals, and stockholders owning more than ten percent of the outstanding
20 stock of the corporation if the applicant is a corporation.

21 s. Prior to the issuance of a taxicab, limousine, commuter van, para-
22 transit or for-hire vehicle driver or owner license for vehicles trans-
23 porting nine or more passengers, the applicant shall be fingerprinted
24 for the purpose of securing criminal history records from both the state
25 division of criminal justice services and the federal bureau of investi-
26 gation. The applicant shall pay any processing fee required by the state
27 division of criminal justice services and the federal bureau of investi-
28 gation. Fingerprints shall be taken of the individual owner if the
29 applicant is a sole proprietorship; the general partners if the appli-
30 cant is a partnership; the officers, principals, and stockholders owning
31 more than ten percent of the outstanding stock of the corporation if the
32 applicant is a corporation. An applicant or applicants shall be disqual-
33 ified from obtaining a license if the criminal history records indicate
34 convictions which would disqualify an applicant from driving a motor
35 vehicle pursuant to section five hundred nine-c or any other provision
36 of article nineteen-A of the vehicle and traffic law.

37 § 3. This act shall take effect on the sixtieth day after it shall
38 have become a law.